	Application No.	Applicant(s)
Notice of Allowability	09/696,762	HOFFMAN ET AL.
	Examiner	Art Unit
	Nga B. Nguyen	3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the Amendment filed on October 23, 2006*.

2. ☒ The allowed claim(s) is/are *11,15-18,51-54,56-72 and 74-77*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

          International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

       Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

1.   This Office Action is the answer to the Amendment filed on October 23, 2006,

which paper has been placed of record in the file.

2.   Claims **11, 15-18, 51-54, 56-72,** and **74-77** are pending in this application.

Allowable Subject Matter/Reasons for Allowance

3.   Claims **11, 51, 57, 58, 66,** and **74** are allowed over the prior arts cited records.

The closets prior arts are:

1) Wallman (US 6,601,044) discloses a personal computer based program for

executing on an investor's personal computer, for enabling an investor to create,

manage and trade a portfolio of assets/liabilities and for interfacing with a system for

managing a plurality of such investors via a first communication link over which the

investor transmits to the system trading data regarding trades of at least one

asset/liability that the investor desires to make, includes the following elements. A

graphical investor interface prompts the investor for investor identification information,

and investor preference data. An asset allocation modeling process creates a

percentage allocation of assets for the investor based on the investor preference data,

wherein the graphical investor interface displays via the computer display multiple

assets/liabilities among which the investor can select to create an investor portfolio

commensurate with the percentage allocation of assets. A risk and differential return

calculation process calculates a risk and a differential return of the entire investor

portfolio relative to standard industry measurements or absolute values, and provides

the relative risk and differential return to the graphical investor interface, which displays

the relative risk and differential return to the investor. A portfolio editor process enables

the investor to adjust the investor portfolio. A communication process communicates the

investor identification information along with any trades of assets/liabilities to be

executed to create or modify an investor's portfolio to ensure an investor's actual

portfolio matches an investor's desired portfolio to the system as said trading data via

the first communication link. In this program, the graphical investor interface can display

the relative risk and differential return as a color code, a numerical indicator, an arrow

on a dial, or an arrow on a range of numerical values or an arrow on a horizontal or

vertical scale. The system permits the investor to adjust the color code, the numerical

indicator, the arrow on a dial, or the arrow on a range of numerical values or the arrow

on a horizontal or vertical scale, by moving a slide or other indicator on the graphical

investor interface, and by so doing change the requested risk and return levels for the

investor's preferred portfolio. Consequently, the investor can adjust the characteristics

of the portfolio directly by changing the position of the indicator, and the system will then

store the changed requested characteristics and select securities for inclusion or

exclusion in or from the portfolio, or the weighting of such securities in the portfolio,

based on matching the portfolio characteristics so selected by the investor with the

portfolio characteristics of the investor's portfolio of securities. In this instance, the

system will recommend or suggest to the investor the securities that should be included

in the investor's portfolio that satisfy the investor's risk and return selections, combined

with any other selections or preferences that the investor may have.

2) Rebane (US 6,405,179) discloses system and method for the optimal allocation of investment funds among a portfolio of investments, and the optimal selection of candidate investments for the portfolio to optimize the financial risk of the investor relative to the financial returns. The system and method create risk tolerance functions for the investor which describe the investor's monetary utility through probability preferences with respect to specific currency amounts relative to the investor's overall assets restricted to the investors monetary range of interest. The risk tolerance function is then used in conjunction with a computed probability density function of the investment portfolio to create a probability density function of the investor's probability preferences with respect to the investor's risk tolerance function. The probability density function expresses the dispersion of risk preferences that the investor would experience as a result of the investment allocation. Investment funds are allocated to the investments of the portfolio by maximizing the expected value of the probability density function of the investor's probability preferences within a rich environment of possible parameters.

Therefore, it is clear from the description of Wallman's and Rebane's inventions that the prior arts do not considered the possibility of: *determining combined rankings for proposed trades of relevant securities based at least in part on risk rankings and on security forecast rankings*, **as included in claims 11, 66 and 74**; *the trade advisor component proposing securities transactions based on a combined ranking or a return ranking a a risk ranking for each tradable security available to the client*, **as included in claim 51**; *the ranker component operative to determine combined rankings of relevant*

securities a s a weighted sum of risk rankings, security forecast rankings and tax

rankings, **as included in claim 57;** *the ranker component operative to determine risk*

rankings of relevant securities using portfolio minus benchmark weights in determining

combined rankings of relevant securities based at least in part on risk rankings and on

security forecast rankings, **as included in claim 58;**

4.   Claims (15-18), (52-54, 56), (59-65), (67-72) and (75-77), are allowed because

they are dependent claims of the allowable independents 11, 51, 58, 66 and 74 above,

in that order.

Conclusion

5.   Claims **11, 15-18, 51-54, 56-72,** and **74-77** are allowable.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to examiner Nga B. Nguyen whose telephone number is

(571) 272-6796. The examiner can normally be reached on Monday-Thursday from

9:00AM-6:00PM.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richard E. Chilcot can be reached on (571) 272-6777.

       Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Group receptionist whose telephone number is

(571) 272-3600.

7.   Any response to this action should be mailed to:

       Commissioner of Patents and Trademarks

C/o Technology Center 3600

Washington, DC 20231

Or faxed to:

(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-0325 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox Building, 501 Dulany

Street, Alexandria, VA, First Floor (Receptionist).

NGA NGUYEN
PRIMARY EXAMINER

January 8, 2007